

by striking out the words "may exempt," and inserting the words "shall not exempt."

Senator Lair moved the previous question on bill and amendment. Motion seconded and main question ordered.

Senator Stewart moved a call of the Senate.

Roll called—Senate full.

Senator Burton's amendment was lost by the following vote:

YEAS—9.

Buchanan of Grimes	Cooper,	Patton,
Buchanan of Wood,	Gooch,	Terrell,
Burton,	Hightower,	Weatherred.

NAYS—16.

Burges,	Lightfoot,	Rainey,
Harris,	Martin of Cooke,	Shannon,
Henderson,	Martin of Navarro,	Stewart,
Homan,	Moore,	Stubbs,
Lair,	Powers,	Swain.
Lane,		

The resolution was ordered engrossed by the following vote:

YEAS—13.

Burges,	Lane,	Powers,
Harris,	Lightfoot,	Rainey,
Henderson,	Martin of Cooke,	Stewart,
Homan,	Moore,	Stubbs.
Lair,		

NAYS—12.

Buchanan of Grimes	Gooch,	Shannon,
Buchanan of Wood,	Hightower,	Swain,
Burton,	Martin of Navarro,	Terrell,
Cooper,	Patton,	Weatherred.

Senator Shannon moved to postpone regular business, and take up House concurrent resolution with regard to joint committees for apportionment, with amendment by the Senate, in which the House refused to concur, and asking a conference committee. Adopted.

Resolution up taken, when Senator Shannon moved that the Senate adhere to its amendment, and that a committee be appointed for such conference.

Senator Gooch moved to amend by providing that the number appointed be three. Accepted, and motion adopted.

The President appointed for said committee Senators Shannon, Lightfoot and Gooch.

Senator Lane, by leave, introduced a bill entitled, "An act validating the proceedings of the County Court of Jackson county." Referred to Judiciary Committee No. 1.

Senator Henderson introduced a bill entitled "An act setting apart a certain portion of the public lands of the State to the Agricultural and Mechanical College of Texas, to provide for the location, survey and sale thereof, and for the disposition of the funds arising from such sale." Referred to Committee on Public Lands.

Senator Stewart introduced a bill entitled "An act to amend section 4, article 1645, title 33, of the Revised Civil Statutes of the State of Texas." Referred to Judiciary Committee No. 1.

On motion of Senator Patton, Senator Burges was added to the Committee on State Affairs.

House bill No. 292, entitled "An act to reorganize the Tenth Judicial District, and to establish the Thirty-fifth Judicial District, and prescribe the time of holding terms of courts therein, and providing for the appointment of a district attorney and a district judge for the Thirty-fifth Judicial District, and a district attorney for the Tenth Judicial District," was taken up as unfinished business on the President's table, and passed to third reading.

Senator Gooch offered the following amendment:

Section 5. If any unorganized county mentioned in this bill shall organize prior to the next regular session of the Legislature, the district judge shall fix times to hold at least two terms of court each year in each of such counties, by a written declaration to be forwarded by the judge to the district clerk of the county, and spread

by him upon the minutes of the district court. When the times are so fixed, they shall not be changed except by the Legislature.

Adopted, and bill passed to third reading.

On motion of Senator Martin of Cooke, the rules were suspended, and bill placed on its third reading by the following vote:

YEAS—21.

Buchanan of Grimes	Henderson,	Patton.
Buchanan of Wood,	Hightower,	Powers,
Burges,	Lane,	Rainey,
Burton,	Lightfoot,	Shannon,
Cooper,	Martin of Cooke,	Stubbs,
Gooch,	Martin of Navarro,	Swain,
Harris,	Moore,	Weatherred.

NAYS—none.

NOT VOTING—4.

Homan,	Stewart,	Terrell.
Lair,		

Bill read third time and passed by the following vote:

YEAS—21.

Buchanan of Grimes	Henderson,	Patton,
Buchanan of Wood,	Hightower,	Powers,
Burges,	Lane,	Rainey,
Burton,	Lightfoot,	Shannon,
Cooper,	Martin of Cooke,	Stubbs,
Gooch,	Martin of Navarro,	Swain,
Harris,	Moore,	Weatherred.

NAYS—none.

NOT VOTING—4.

Homan,	Stewart,	Terrell.
Lair,		

A message was received from the House, announcing the passage of Senate bill No. 73, entitled "An act defining who are officers of the State, and prescribing their rights, powers, duties and privileges.

On motion of Senator Buchanan of Wood, Senator Patton was excused for one week from to-morrow, on important business.

Senator Buchanan of Grimes, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Engrossed Bills have examined and find correctly engrossed Senate bill No. 139, "An act to change and define the times of holding the terms of the district courts in the Fifth Judicial District of the State of Texas, approved the twenty-third day of April, 1879."

BUCHANAN of Grimes, Chairman.

Senator Buchanan of Grimes, by request, introduced a joint resolution reviving certain appropriations made for the payment of the second-class debt. Referred to Committee on Finance.

On motion of Senator Harris, Senate adjourned till to-morrow morning at 10 o'clock.

TWENTY-NINTH DAY.

SENATE CHAMBER, }
AUSTIN, February 12, 1881. }

The Senate met pursuant to adjournment; the President in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

On motion of Senator Shannon, the reading of the journal of yesterday was dispensed with, and the same adopted.

Senator Ross presented a petition of citizens of Young county, asking relief for the Tonkaway Indians. Referred to Committee on State Affairs.

Senator Harris presented a memorial of citizens of Bell county, asking an increase in the compensation of sheriffs. Referred to Committee on Finance.

Senator Lair presented a petition signed by citizens of

Texas, asking that the Legislature have submitted to the people a constitutional amendment to prohibit the importation, manufacture, sale or exchange of intoxicating liquors as a beverage. Referred to Committee on Constitutional Amendments.

Senator Weatherred, chairman of Committee on Judicial Districts, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Judicial Districts to whom was referred Senate bill No. 155, entitled "An act to organize the Twenty-fifth Judicial District, and to prescribe the times of holding the district courts therein," have had the same under consideration, and I am instructed by a majority of the committee, to report the same back to the Senate and recommend its passage.

WEATHERRED, Chairman.

Bill read first time.

Senator Shannon, chairman of committee of three appointed on yesterday to confer with the committee of the House, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 12, 1881.

Hon. L. J. Storey, President of the Senate:

Your Conference Committee have had under consideration the difference between the Senate and House on the resolution to appoint two committees on apportionment.

The disagreement was as follows: The House proposed that the joint committees should consist of seven from the House and five from the Senate. The Senate amended the resolution so as to increase the number from the Senate to seven. The House disagreed to this amendment.

We respectfully recommend that the House recede from its disagreement, and concur in the amendment of the Senate. It requires a majority of the members of each house composing the joint committee to make a report or agreement, whether their number be equal or otherwise. The uniform custom, in appointing conference and other committees, to consider bills in course of passage, is to appoint an equal number from each house, and we do not see a necessity for doing otherwise in this instance.

W. R. SHANNON,	} Senate Committee.
HENRY W. LIGHTFOOT,	
JNO. YOUNG GOOCH,	
C. R. GIBSON,	} House Committee.
JNO. H. TRAYLOR,	
T. J. MCCORD,	

On motion of Senator Shannon, the report of the committee was adopted.

Senator Gooch, chairman of Committee on Insurance, Statistics and History, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Insurance, Statistics and History have had under consideration Senate bill No. 121, entitled "An act to authorize the Governor, Comptroller and Commissioner of Insurance, Statistics and History, to examine and purchase the portraits of the Presidents of the Republic of Texas, and Governors of the State," and instruct me to report the accompanying substitute, and recommend that it do pass. The appropriation which we recommend is not derived from taxation. It is to come from land which has been dedicated to the erection and ornamentation of the new capitol. We believe that we should preserve the portraits of our eminent dead. There is no way in which we can show our appreciation of their distinguished and patriotic services so effectually and in so permanent a manner as to adorn with their portraits the walls of the chambers of the State capitol. Our State, which has a pride in her history, and honors and reveres the name and fame of those who have served her as her Chief Magistrates, and aided in her march to power and greatness, should not refuse to preserve enduring evidence of their personal appearance, especially when it may be done without placing the slightest burden on the people.

GOOCH, for Committee.

Substitute for a bill to be entitled "An act to provide for securing the portraits of the deceased Presidents and Governors of Texas."

SECTION 1. *Be it enacted by the Legislature of the State of Texas, That* five thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of the proceeds of the three million acres of land dedicated to the erection of a new State capitol to purchase

portraits of the deceased Presidents and Governors of the Republic and State of Texas, to ornament the chambers of the new capitol.

SEC. 2. The Capitol Board are hereby vested with power to purchase such portraits, or any of them, at their reasonable value.

Bill and substitute read first time.

Senator Henderson, chairman of the Committee on State Asylums, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on State Asylums have visited the Texas Institution for the Deaf and Dumb, and, having made an investigation into its condition, have the honor to report as follows, to-wit:

The attendance for the first half of the past year was sixty four. The present attendance is eighty; fifty of whom are boys and thirty girls. The salaried teachers are five in number. The estimated full capacity of the present buildings is about one hundred pupils. From the best estimate we could make, it cost the State the past year for the support and maintenance of those unfortunates an average of \$220 per capita. We find that the last appropriation, ending on the twenty-eighth of February, 1881, is already exhausted, and that the deficiency, as estimated, will be \$3,500. There are three principal buildings on the grounds, besides the stable, a very substantial two-story stone house, which, at present, is being utilized as a printing office. Of the three buildings, two are wooden frame buildings, badly constructed originally, and now quite old and out of repair. The main three-story brick edifice has never been completed, and is also needing repair. The estimated expense of completing the building and of repairing the buildings is \$4,500.

We find that all of the buildings require repairs of furniture, bedding, etc., and some new furniture; the institution is also sadly in need of a library. In pursuance of the foregoing, your committee beg leave to make the following recommendations:

To completing brick edifice and repairing buildings.....	\$ 4,500
To new furniture and repairs.....	2,500
To purchase library.....	500
To pay deficiency.....	3,500
To maintain and support one hundred pupils, including pay of all teachers, and salary of superintendent, on a basis of two hundred and twenty dollars each.....	22,000.

Should there be a less number of pupils than one hundred, we recommend that the appropriation be reduced at the ratio as above, to-wit, of \$220 to each pupil, and we suggest that the appropriation be so framed as to authorize sworn monthly reports as to the number of pupils in attendance, and that the superintendent be authorized to draw against the appropriation, not exceeding the sum of \$220 for each pupil in attendance, including support and instruction.

We further recommend, in accordance with the suggestion of the superintendent that he be authorized to admit not more than two persons annually, children in the possession of all their senses, on the same terms as deaf and dumb children, who shall be supported and instructed on the same terms as said children. All of which is respectfully submitted.

JOHN N. HENDERSON, Chairman.

On motion of Senator Buchanan of Wood, the report was referred to Committee on Finance.

Senator Buchanan of Grimes, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 12, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Engrossed Bills have examined and find correctly engrossed the following bills, to-wit: Senate bill No. 152, "An act to amend title 11, chapter 1, article 241, of the Revised Civil Statutes of Texas, adopted February 21, 1879," Senate joint resolution No. 18, proposing to amend section 11, of article 8, of the Constitution of the State of Texas; and Senate joint resolution No. 20, amending section 3, article 7, of the Constitution of the State of Texas, providing for a specific ad valorem tax, and amending section 9, article 8, thereof, limiting the ad valorem tax for general purposes.

BUCHANAN of Grimes, Chairman.

Senator Homan, by request, introduced a bill entitled "An act to amend articles 4505 and 4506 of the Revised Civil Statutes of the State of Texas." Referred to Judiciary Committee No. 1.

Senator Buchanan of Wood introduced a bill entitled "An act providing for the summoning of special juries in certain cases." Referred to Judiciary Committee No. 1.

Senator Ross introduced a bill entitled "An act to amend articles 221 and 222 of the Revised Civil Statutes of the State of Texas." Referred to Judiciary Committee No. 1.

Senator Burges introduced a bill entitled "An act to amend an act entitled 'an act of forcible entry and detainer,' passed August 17, 1876." Referred to Judiciary Committee No. 1.

Also, a bill entitled "An act to amend an act entitled 'landlord and tenant,' passed February 21, 1879." Referred to Judiciary Committee No. 1.

Senator Shannon offered the following resolution:

Resolved, That the Secretary of the Senate be instructed to buy thirty-six maps of the State of Texas, with counties clearly and distinctly marked, for the use of the Senate; *provided*, the same shall not cost exceeding twenty-five cents apiece.

Adopted.

On motion of Senator Powers, special order was postponed and Senate bill No. 155, entitled "An act to reorganize the Twenty-fifth Judicial District, and to prescribe the times of holding the district courts therein," was taken up.

Rules suspended and bill put on its second reading by the following vote:

YEAS—26.

Buchanan of Grimes	Homan,	Ross,
Buchanan of Wood,	Lair,	Shannon,
Burges,	Lane,	Stewart,
Burton,	Lightfoot,	Stubbs,
Cooper,	Martin of Cooke,	Swain,
Gooch,	Martin of Navarro;	Terrell,
Harris,	Moore,	Weatherred,
Henderson,	Powers,	Wynne.
Hightower,	Rainey,	

Bill read second time.

Senator Powers offered the following amendment: Amend by inserting at the end of section 4 the following:

That if the counties of La Salle and McMullen shall not be incorporated in the new judicial district, and until then the said counties shall continue to constitute a portion of the Twenty-fifth Judicial District; and the judge of said district is hereby authorized and required to designate the times of holding the terms of the district courts in said counties, by an order that shall be entered on the minutes of the District Court of McMullen county, which times, when so fixed, shall not be changed except by the Legislature; and, *provided further*, that the said county of La Salle shall, until otherwise provided, continue and be attached to said county of McMullen for judicial purposes.

Senator Terrell moved to amend the pending amendment by adding, "which order shall be published in a newspaper published in the county of Webb for four successive weeks before the first court, the time of holding which may be so fixed by order, shall be held." Adopted, and amendment as amended adopted, and the bill ordered engrossed.

Rules suspended and the bill placed on its third reading, by the following vote:

YEAS—26.

Buchanan of Grimes	Homan,	Ross,
Buchanan of Wood,	Lair,	Shannon,
Burgess,	Lane,	Stewart,
Burton,	Lightfoot,	Stubbs,
Cooper,	Martin of Cooke,	Swain,
Gooch,	Martin of Navarro,	Terrell,
Harris,	Moore,	Weatherred,
Henderson,	Powers,	Wynne.
Hightower,	Rainey,	

Bill read third time and passed by the following vote:

YEAS—25.

Buchanan of Grimes	Homan,	Ross,
Buchanan of Wood,	Lair,	Shannon,
Burgess,	Lightfoot,	Stewart,
Burton,	Martin of Cooke,	Stubbs,
Cooper,	Martin of Navarro,	Swain,
Gooch,	Moore,	Terrell,
Harris,	Powers,	Weatherred,
Henderson,	Rainey,	Wynne.
Hightower,		

NOT VOTING.
Lane.

Senator Lair moved to further postpone special order and take up House concurrent resolution on contingent expenses relative to the purchase of wood. Adopted.

Resolution read and adopted.

On motion of Senator Terrell, special order was further postponed, and Senate joint resolution No. 38, authorizing the Governor to employ a suitable and competent architect or architects to assist the board of commissioners appointed to superintend the construction of a new capitol, was taken up and read second time.

Senator Cooper offered the following amendment: Amend by striking out all after the word "and," in line —, down to, and inclusive of, the word "same," in line —, and insert in lieu thereof the following:

Inasmuch as it is a question of great delicacy, and necessarily involves great responsibility, to the end that satisfaction may be assured in their final determination, and in accordance with the recommendation of his Excellency the Governor, and the request of the two building commissioners and the superintending architect, that a skilled and impartial architect be employed to assist the said commissioners and superintending architect in the examination and selection of plans.

Adopted and bill ordered engrossed.

Rules suspended, and bill put on its third reading by the following vote:

YEAS—23.

Buchanan of Wood,	Lair,	Shannon,
Burges,	Lane,	Stewart,
Cooper,	Lightfoot,	Stubbs,
Gooch,	Martin of Cooke,	Swain,
Harris,	Martin of Navarro,	Terrell,
Henderson,	Moore,	Weatherred,
Hightower,	Powers,	Wynne.
Homan,	Ross,	

NAYS—none.

NOT VOTING—3.

Buchanan of Grimes Burton, Rainey.

Bill read third time and passed by the following vote:

YEAS—23.

Buchanan of Wood,	Lair,	Shannon,
Burges,	Lane,	Stewart,
Cooper,	Lightfoot,	Stubbs,
Gooch,	Martin of Cooke,	Swain,
Harris,	Martin of Navarro,	Terrell,
Henderson,	Moore,	Weatherred,
Hightower,	Powers,	Wynne.
Homan,	Ross,	

NAYS—none.

NOT VOTING—3.

Buchanan of Grimes Burton, Rainey.

On motion of Senator Buchanan of Wood, special order was further postponed, and Senate bill No. 98, entitled "An act to establish the University of Texas," taken up and read third time.

Senator Stubbs offered the following amendment: Amend section 8 by adding the following:

The Board of Regents, in providing for the efficient organization of the medical department, may establish and open such department at a place the most available in the judgment of the regents for the purpose of practical instruction.

Withdrawn.

Senator Stubbs also offered the following amendment:

The medical department of the university shall be located, if so determined by a vote of the people, at a different point from the university proper, and as a branch thereof; and the question of the location of said department shall be submitted to the people and voted on separately from the proposition for the location of the main university.

The nominations and election for the location of the medical department, shall be subject to the other provisions of this act, with respect to the time and manner of determining the location of the university.

Adopted by the following vote:

YEAS—17.

Buchanan of Grimes	Lair,	Rainey,
Burges,	Lane,	Stewart.
Harris,	Lightfoot,	Stubbs,
Henderson,	Martin of Navarro,	Swain,
Hightower,	Moore,	Weatherred.
Homan,	Powers,	

NAYS—6.

Buchanan of Wood,	Gooch,	Terrell,
Cooper,	Ross,	Wynne.

NOT VOTING—3.

Burton,	Martin of Cooke,	Shannon.
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Senator Gooch offered the following amendment: Amend, by striking out the amendment last adopted, and insert:

The Board of Regents may make suitable provision for practical instruction in the medical department, by opening at suitable times, a branch for that purpose, at any convenient place within the State.

Lost by the following vote:

YEAS—4.

Buchanan of Wood,	Henderson,	Wynne.
Gooch,		

NAYS—20.

Buchanan of Grimes	Lair,	Ross,
Burges,	Lane,	Stewart,
Burton,	Martin of Cooke,	Stubbs,
Cooper,	Martin of Navarro,	Swain,
Harris,	Moore,	Terrell,
Hightower,	Powers,	Weatherred.
Homan,	Rainey,	

NOT VOTING—2.

Lightfoot,	Shannon.
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(Senator Lightfoot in the chair.)

Bill was then passed.

Senators Wynne and Cooper presented the following reasons for their votes on the amendment of Senator Stubbs:

We assign as our reasons for voting against the amendment offered by the Senator from Galveston, to Senate bill No. 98, providing that the medical department of the university shall be located, if so determined by a vote of the people, at a different point from the university proper, and as a branch thereof, as follows:

1. We believe that said amendment contravenes the spirit, if not the letter of the Constitution. Evidently but one university was contemplated, and designating this as a branch does not relieve it from being an independent institution.

2. The available fund for erecting the building is scarcely sufficient to complete and furnish one university for general purposes, and to segregate this university is believed to be tantamount to destroying what is expected to be the pride of Texas and the peer of the world.

3. Submitting the question of the location of two departments of the university which may be at different places, we believe will encourage a combination between sections of the State whereby each may secure the location of one branch of the university, that will thwart the will of the people and operate against the public interest.

WYNNE.
COOPER.

Senator Lane, by leave, introduced the following resolution:

Resolved by the Senate, That the Comptroller of Public Accounts is respectfully requested to furnish for the information of the Senate, a statement of the net revenues of the State government for the year 1879, on the assessments and occupations for the year 1879, with the principal sources of such revenue; and, also, the expenses and disbursements of the State government for the year 1879, confining this statement to the expenses of the State government incurred, and proper for that year only.

Adopted.

A message was received from the House announcing that that body had adopted the following Senate concurrent resolution, to wit:

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That there be raised a joint committee, consisting of three from the Senate, to be appointed by the President thereof, and five from the House to be appointed by the Speaker thereof, whose duty it shall be to visit the Agricultural and Mechanical College, and Normal School as soon as practicable during the present session of

the Legislature, with power to send for persons and papers, and make a full investigation into and report the conditions of said schools to the respective branches of the Legislature.

And that the Speaker has announced the appointment of the following members of the House as a committee to act with a similar committee from the Senate to visit the Agricultural and Mechanical College and Normal schools: Messrs. Haynes, Frymier, Matthews, Nash and Ayres.

On motion of Senator Burges, special order was further postponed and Senate bill No. 146, entitled "An act to create the county of John Upton, and define the boundaries thereof," was taken up, read second time and ordered engrossed.

Senator Martin of Cooke presented a memorial addressed to his Excellency Governor Roberts and the honorable Senate and House of Representatives, and signed by a committee representing a convention of the teachers of Grayson county, asking certain changes in the school law. Referred to the Committee on Education.

Senate bill No. 27, entitled "An act concerning factors and commissson merchants," being first special order for the day, was taken up, and, on motion of Senator Stubbs, was made the special order for next Friday, and from day to day till disposed of.

Senate bill No. 19, entitled "An act to amend article 4662, chapter 1, title 95, of the Revised Civil Statutes of the State of Texas, so as to reduce the ad valorem State tax to the rate of forty cents on the \$100," being next special order, was taken up.

Senator Martin of Cooke offered a substitute for the pending bill, when, on motion of Senator Gooch, the bill and substitute were postponed and made special order for Monday week, and from day to day till disposed of.

Senate bill No. 80, entitled "An act to validate certain records deposited in the General Land Office," being next special order, was taken up and read second time.

Senator Terrell offered the following amendment: "*Provided*, that no such translation shall have the standing of an archive, the original of which had its origin subsequent to the year 1821." Adopted.

The President then signed Senate joint resolution No. 34, entitled "Joint resolution instructing our Senators and requesting our Representatives in Congress to use their endeavors to procure substantial and suitable appropriations for the attainment of a large draught of water on the bars of Brazos Santiago, Aransas, Sabine Pass, Pass Cavallo and the mouth of the Brazos, in the State of Texas."

Senator Lane, for Judiciary Committee No. 1, by leave, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 12, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1 have had under consideration Senate bill No. 164, entitled "An act validating the proceedings of the County Court of Jackson county," and instruct me to report the same favorably, and recommend that it do pass.

LANE, for committee.

Bill read first time.

On motion of Senator Lane, rules were suspended and bill put upon its second reading by the following vote:

YEAS—25.

Buchanan of Grimes	Homan,	Rainey,
Buchanan of Wood,	Lair,	Ross,
Burges,	Lane,	Shannon,
Burton,	Lightfoot,	Stewart,
Cooper,	Martin of Cooke,	Swain,
Gooch,	Martin of Navarro,	Terrell,
Harris,	Moore,	Weatherred,
Henderson,	Powers,	Wynne.
Hightower,		

NOT VOTING.

Stubbs.

Bill read second time, and ordered engrossed.

On motion of Senator Lane, rules were further suspended, and bill placed on its third reading by the following vote:

YEAS—22.

Buchanan of Grimes	Homan,	Powers,
Buchanan of Wood,	Lair,	Rainey,
Burton,	Lane,	Ross,
Cooper,	Lightfoot,	Shannon,
Gooch,	Martin of Cooke,	Stewart,
Harris,	Martin of Navarro,	Weatherred,
Henderson,	Moore,	Wynne.
Hightower,		

NOT VOTING—4.

Burges,	Swain,	Terrell.
Stubbs,		

Bill read third time and passed by the following vote:

YEAS—23.

Buchanan of Grimes	Homan,	Ross,
Buchanan of Wood,	Lair,	Shannon,
Burton,	Lane,	Stewart,
Cooper,	Lightfoot,	Stubbs,
Gooch,	Martin of Cooke,	Terrell,
Harris,	Martin of Navarro,	Weatherred,
Henderson,	Moore,	Wynne.
Hightower,	Rainey,	

NOT VOTING—3.

Burges,	Powers,	Swain.
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Senator Martin of Navarro, chairman of the Committee on Agricultural Affairs, by leave, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 12, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Agricultural Affairs, to whom was referred Senate bill No. 29, entitled "An act for the encouragement of agriculture, and the collection of agricultural statistics," have carefully considered it, and I am instructed to report it to the Senate, with the recommendation that it do not pass.

The great importance of the subject, we think, requires an explanation of the causes which have brought us to the conclusion reached. The leading object of the bill is to encourage farmers to organize themselves into societies in the different sections of the State, and to appoint times and provide conveniences for the exhibition of the products of the soil, to the end that all may have an opportunity to procure the best varieties of each product, and to become familiar with the best modes of cultivation, etc. To encourage these organizations the bill provides that not more than \$500 shall annually be paid out of the State treasury to any such society which shall organize, and pay a like sum for exhibitions made as prescribed in the bill. The proposition of the State to pay money to the societies, and thereby share the expense of the exhibitions, is the only substantial encouragement offered by the bill, unless the payment of the expense of the delegates at an annual meeting can be so considered. We are of opinion that so much of the bill as authorizes the payment by the State of the money mentioned is in conflict with sections 51 and 52 of article 3 of the State Constitution, which provides in substance that the Legislature shall have no power to grant public money to any association whatsoever.

Of that part of the bill which relates to statistics, we state that we think that title 92, page 653 of the Revised Civil Statutes, relating to that subject, makes ample provision for gathering, formulating and distributing statistics of agriculture and other subjects, so far as a system can do so. What is needed is a reasonable and ample appropriation to execute the law, and we recommend that it be made.

MARTIN of Navarro, Chairman.

On motion of Senator Martin of Navarro, the report was referred to the Committee on Finance.

Senator Cooper, chairman of the Committee on Enrolled Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 12, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Enrolled Bills have carefully examined, compared, and find correctly enrolled, Senate joint resolution No. 84, "Joint resolution instructing our Senators and requesting our Representatives in Congress to use their endeavors to procure substantial and suitable appropriations for the attainment of a large draught of water on the bars of the Brazos de Santiago, Aransas, Sabine Pass, Pass Cavallo and the mouth of the Brazos and Buffalo Bayou,

in the State of Texas," and on February 12, 1881, at 12:05 o'clock p. m., presented the same to the Governor for his signature.

COOPER, Chairman.

Senator Buchanan of Grimes, chairman of the Committee on Engrossed bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 12, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Engrossed Bills have examined and find correctly engrossed Senate joint resolution No. 38, authorizing the Governor to employ a suitable and competent architect or architects to assist the Board of Commissioners appointed to superintend the construction of a new capitol, and to provide for the payment of his services.

BUCHANAN of Grimes, Chairman.

Senator Gooch moved to postpone regular business and take up Senate bill No. 156, entitled "An act to define the duties and liabilities of employees who advance the cost of transporting immigrants into this State, of such immigrants, and of others dealing with them and violating its provisions." Adopted, and bill taken up and read second time.

Senator Wynne moved the postponement of the bill until Monday next, and that it be printed, etc.

Senator Martin of Navarro moved to refer the bill to the Committee on Judiciary No. 1. Adopted, and bill so referred.

Senate bill No. 31, entitled "An act to amend article 1547 of the Revised Civil Statutes, passed February 21, 1879," with amendments by the House, was taken up, and House amendments concurred in.

Senator Rainey moved to postpone the regular business, and take up Senate bill No. 108, entitled "An act to amend articles 344, 346 and 357, title 17, of the Revised Civil Statutes of the State of Texas, relating to cities and towns." Adopted, and bill taken up and read second time.

Senator Martin of Cooke moved to postpone the bill, and make it the special order for Wednesday next after the morning call, and that one hundred copies of the bill and committee amendments be printed. Adopted.

Senator Homan, by leave, introduced a bill entitled "An act to amend article 2411 of the Revised Civil Statutes of the State of Texas, so that offices, office furniture, books and stationery shall be provided for assessors and collectors of taxes." Read by caption and referred to Judiciary Committee No. 1.

The President appointed as a committee on the part of the Senate to visit the Agricultural and Mechanical College at Bryan, the Normal School, etc., under Senate concurrent resolution reported to-day from the house, Senators Buchanan of Wood, Stewart, and Henderson.

Senator Martin of Cooke moved to postpone the regular business, and take up substitute for Senate bill No. 7, entitled "An act to provide for the sale of the alternate sections of land in this State, surveyed by railroad companies and works of internal improvements, and set apart for the common school fund, and of the University and Asylum lands, and to provide for the investment of proceeds." Adopted, and bill taken up and made the special order for Tuesday next, and continued from day to day until finally disposed of.

Senate bill No. 10, entitled "An act to prescribe the requisites of indictments in certain cases," was taken up as business on the President's table.

On motion of Senator Homan, the bill was postponed until Monday next, and made the special order after the morning call, and from day to day until disposed of.

Senator Gooch offered the following resolution:

Resolved, That on and after next Monday, the first business after the morning call shall be the calling of the roll of the Senate, and when a Senator's name is called, he shall have the right to have one bill taken up out of the regular order, and acted upon. The calling of the roll shall, on each day, begin with the name next after the last one called on the last preceding day.

Read and referred to the Committee on Rules.

By leave Senator Lightfoot introduced a bill entitled "An act to regulate contracts between employers and employees, to provide liens to secure wages, and to impose penalties for the violation of such contracts." Referred to Judiciary Committee No. 1.

On motion of Senator Henderson, Senator Stubbs was excused until Tuesday next in consequence of important business.

On motion of Senator Buchanan of Wood, Senator Duncan was excused until Tuesday next.

On motion of Senator Buchanan of Wood, the Senate adjourned until Monday next at 10 o'clock A. M.

THIRTIETH DAY.

SENATE CHAMBER,
AUSTIN, February 14, 1881. }

Senate met pursuant to adjournment; the President in the chair.

Roll called—quorum present.

Prayer by Rev. Dr. Bunting.

On motion of Senator Homan, the reading of the journal of yesterday was dispensed with, and the same adopted.

Senator Lightfoot presented a petition of citizens of Lamar county, asking that a normal school be established at Paris, Lamar county. Referred to Committee on Educational Affairs.

Senator Stewart presented a petition of citizens of Fort Bend county, who are stockraisers, protesting against the repeal of the stock law, and giving their reasons therefor. Referred to the Committee on Stock and Stockraising.

Senator Houston presented a petition, signed by five hundred and eighty citizens of Bexar county, protesting against the passage of the bill diminishing the jurisdiction of their county court. Referred to Committee on State Affairs.

Senator Gooch, for Judiciary Committee No. 2, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 12, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 140, a bill to be entitled "An act doubling the penalty of all offenses committed in the State of Texas with a weapon the carrying of which is prohibited by law," have had the same under consideration, and I am instructed by the committee to report it back to the Senate with the recommendation that it do pass.

Gooch, for Committee.

Bill read first time.

Senator Homan, chairman of Committee on Rules, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 14, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Revision of the Rules, to whom was referred Senate resolution, providing that "the first business after the morning call shall be the calling of the roll of the Senate," etc., have considered the same, and I am instructed to report and recommend the passage of the accompanying substitute for such resolution.

Homan, Chairman.

COMMITTEE SUBSTITUTE.

Resolved, That hereafter, at the morning sessions of the Senate, immediately after the morning call, the names of Senators shall be called alphabetically, as they stand upon the roll, and each Senator, as his name is called, shall have the right to call up for action of the Senate such bill as he may desire; and at each succeeding morning session the Secretary shall begin the call where he left off at the last preceding session; provided, that the general appropriation and deficiency bills and tax bills shall have precedence of other bills, and may be called up at any time by any Senator.

On motion of Senator Gooch, substitute was amended by

inserting the word "morning" before "session," and substitute as amended, was adopted.

Senator Buchanan of Grimes, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 14, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and find correctly engrossed Senate bill No. 155, entitled "An act to reorganize the Twenty-fifth Judicial District of the State of Texas and to prescribe the times for holding the district courts therein."

Senate bill No. 164, "An act validating the proceedings of the County Court of Jackson county."

Senate bill No. 146, "An act to create the county of John Upton, and to define the boundaries thereof."

BUCHANAN of Grimes, Chairman.

Senator Terrell, chairman of Judiciary Committee No. 1, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 14, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1 have had under consideration Senate bill No. 133, and I am instructed to report the same back and recommend that, with accompanying amendments, it do pass.

The object of the bill is to so change the law as to require the services of a guardian *ad litem*, to be paid for out of the estate of the minor. The amendments recommended are as follows:

1. Amend section 1 by adding thereto the following: "Nor shall the real estate of the minor be subject to satisfy the claim of the guardian *ad litem* for compensation for his services."

2. Amend section 1, line 4, by inserting after the word "execution" the following, viz: "In due course of administration, after allowance by the court trying the cause."

TERRELL, Chairman.

Bill read first time.

Senator Martin of Cooke, chairman of Committee on Public Lands, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, February 14, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Public Lands to whom was referred Senate bill No. 125, "An act to authorize and require the Commissioner of the General Land Office to issue a patent on certificate No. 291 to the Mexican Telegraph Company," have had the same under consideration, and, in view of the good results to accrue to the State from encouraging the Mexican Telegraph Company in its work of connecting the telegraph systems of the United States and Mexico, and that this section of land is necessary to the uses of the company in landing its cable and constructing its offices, a majority of the Committee instruct me to report the bill back with the recommendation that it do pass.

MARTIN of Cooke, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 14, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee of Public Lands to whom was referred Senate bill No. 143, "An act to amend an act entitled 'an act to authorize the Commissioner of the General Land Office to contract for the lithographic printing of maps of the various counties of the State, and to provide for the sale of the same, and to make an appropriation therefor,'" have had the same under consideration and instruct me to report the same back to the Senate with the recommendation that it do pass.

MARTIN of Cooke, Chairman.

Bill read first time.

A message was received from the House, announcing the adoption of the report of the joint conference committee of the House and Senate, appointed to adjust the difference between the two bodies with regard to joint committee for re-districting the State into congressional, representative and senatorial districts; and that the Speaker of the House has appointed on the committee on congressional districts, Representatives Hill, Chenoweth, Mack, Hutcheson, Finlay, Perrenot and Blacker; on senatorial and representative districts, Representatives Wurzbach, Smith, Denman, Traylor, Barry, Arnold and Matlock.